

EXHIBIT 23

L A W S
OF THE
STATE OF NEW YORK

PASSED AT THE

ONE HUNDRED AND FOURTEENTH SESSION

OF THE

LEGISLATURE,

BEGUN JANUARY SIXTH, 1891, AND ENDED APRIL THIRTIETH, 1891,
IN THE CITY OF ALBANY.



ALBANY:
BANKS & BROTHERS, PUBLISHERS.
1891.

CHAP. 105.

AN ACT to revise the charter of the city of Buffalo.

APPROVED by the Governor March 27, 1891. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

TITLE I.

THE CITY.

SECTION 1. The city of Buffalo shall be bounded as follows: Beginning at a point where a line drawn parallel with and thirteen hundred and fifty-three feet distant, and southerly at right angles from the northerly line of lot one hundred and three on the "mile strip" of the New York state reservation on the Niagara river, will intersect the east bank of the Niagara river, and running thence easterly and parallel with said northerly line of said lot one hundred and three to the New York state reservation line, including so much of said lot one hundred and three as lies southerly of the line thus establishing and excluding so much of the "Jones mile square," so called as lies northerly of said line; thence southeasterly along the northeasterly bounds of the said "Jones mile square" and the New York state reservation line the following courses and distance, to wit: South forty degrees east, two chains and sixty links; south thirty-five degrees east, seven chains; south thirty degrees east, seven chains; south twenty-five degrees east, seven chains, and south twenty degrees east, one chain and eighty-three links to the northwesterly corner of township number eleven, in the eighth range of townships of the Holland Land Company's survey; thence easterly along the northerly line of said township, to the northeasterly corner thereof; thence easterly, along the northerly line of said township, to the northeasterly corner thereof; thence easterly, along the northerly line of lot number sixty-six of the eleventh township and seventh range, to the northeasterly corner of said lot number sixty-six; thence southerly, along the easterly line of said lot number sixty-six, to the southeasterly corner thereof; thence easterly, along the southerly line of lots numbers sixty-five, fifty-eight, fifty-seven and fifty-six to the southeasterly corner of said lot fifty-six; thence northerly along the easterly line of lots numbers forty-six, forty-five, forty-four, forty-three, forty-two and forty-one, to the southwesterly corner of lot number thirty-two and the southeasterly corner of lot number forty-one in said last-mentioned township; said corners being also a point in the northerly line of the Buffalo Creek Indian reservation, as surveyed by James Sperry, eight chains and eighty-two links easterly from the northwesterly corner of lot number one hundred and forty-eight and one-half; thence south one degree and fifty-one minutes west, two hundred and eighty-eight chains and seventy-four links to a point in the southerly line of lot number two hundred and seventy-five of said reservation, and eighteen chains and forty-eight links easterly from southwesterly corner of said lot number two hundred and seventy-five; thence westerly along the southerly line of lots numbers two hundred and seventy-five, two hundred and sixty-four, two hundred and sixty-three and forty-two, to the southwesterly corner of said lot number forty-two; thence westerly on the same course

City boundaries.

Arrest of persons and seizure of implements.

forthwith arrest all persons there found offending against any law, and shall seize all implements of gaming, lottery tickets and lottery policies found therein, and convey any person so arrested before the police justice, and bring the articles so seized to the office of the superintendent. It shall be the duty of the superintendent to cause the arrested person or persons to be rigorously prosecuted and the seized articles to be destroyed.

Patrolmen at election polls.

§ 206. The superintendent shall detail, on the day of any election in the city, and on the night and day following if necessary, one or more patrolmen to each election poll, who may have access to the room or place in which the ballots are being received and counted. The board shall provide ballot and other boxes, for use at any election in the city, and provide for the custody of such boxes at all times, except during the taking, receiving and counting of ballots. The city shall pay the expenses of procuring and taking care of such boxes as are used at elections.

Ballot-boxes.

§ 207. The superintendent shall take proper measures to have elections conducted in an orderly and fair manner, as provided by the election laws of the state.

Measures for orderly elections.

§ 208. No fees or compensation whatever shall be charged or received by any member of the police force, except from the city or county for the arrest, confinement or discharge of any person, or for mileage and travel, or for serving any process, or for discharging any other duty required by this act, without the consent and approval of the board, nor shall any such fee or compensation be charged or received by any officer or citizen for the arrest of any person charged with crime, or for the service of any process in any criminal case, without such consent and approval. The actual, necessary and reasonable traveling expenses, which shall include board as well as transportation, incurred by any member of the police force, or by any citizen who may

Traveling expenses how audited and paid.

have been selected to execute any process issued within the city, in executing any such process or discharging any duty required of him by the district attorney of the county of Erie, or by any police justice, judge of a court of record, or criminal court held within the city, shall be audited and allowed by the board of police, and be paid by the superintendent, but such charges shall only be allowed upon the affidavit of the person making them that such expenditures have been actually and necessarily made and shall not include any items for traveling expenses in cases wherein transportation has been furnished to the party gratuitously.

Affidavit of expenditures.

§ 209. The superintendent may, upon application in writing, setting forth under oath sufficient reasons, issue to any person a permit in writing to carry a pistol or pistols in the city. If such person shall be a private watchman, whose employers recommend the issuing of such permit and whose duties may require the use of such weapon or weapons, such permit shall be issued without charge. For all other such permits issued said superintendent shall charge and receive an annual fee of two dollars and fifty cents, in advance. Such permit shall not continue in force for more than one year, but may in the discretion of the superintendent, be revoked, or renewed from time to time upon the payment in advance of the fee of two dollars and fifty cents for each year. The superintendent shall keep a register, upon which shall be entered the name, residence and occupation of every person to whom he shall issue such permit, the date of issue or renewal, and the fee received for the same; and all the fees so received by him shall be deposited monthly in the city treasury to the credit and for the use

Permits to carry pistols.

Registration thereof.

Deposit of fees.

CHAP. 105.] ONE HUNDRED AND FOURTEENTH SESSION.

177

of the police pension fund hereinafter mentioned. No person, other than members of the police force, regularly elected constables, the sheriff of Erie county, and his duly appointed deputies, shall, in the city, carry concealed upon or about his person, any pistol or revolver, or other dangerous weapon or weapons, without having first obtained a permit, as hereinbefore provided; and such permit shall be produced and exhibited by any person holding the same, upon the request of a member of the police force. A violation of any of the provisions of this section shall be a misdemeanor and punishable as such; and all fines imposed and collected for such violations shall be deposited to the credit of said pension fund by the clerk of the court imposing the same.

§ 210. The superintendent shall, either personally or through the captains of the respective precincts, subject to such reasonable regulations as the board may, from time to time, adopt, issue licenses to residents of the city who own or keep a dog or dogs, to permit such dogs to run at large within the city limits. Each dog must, at all times, wear a suitable collar, to which shall be attached a tag or plate, to be furnished by the superintendent bearing the number of the license issued for it, and all dogs so licensed shall be subject to such provisions of law or ordinances as may be enacted. Such licenses shall be for the term of one year, and shall only be granted upon the payment, in advance of the sum of one dollar for each dog and two dollars for each bitch so owned or kept. It shall be the duty of every person residing in the city, who owns or keeps such an animal to apply to the captain of the precinct in which he resides, or to the superintendent for a license for each such animal so owned or kept by him; and if such person fail to apply for and take out such license within twenty days after being notified so to do by any member of the police force, he shall for each offense, be liable to a fine of five dollars, to be sued for and collected in the municipal court of Buffalo, upon the complaint of the superintendent or any member of the police force, together with the cost of such proceeding. Any member of the police force is authorized to destroy by any means other than poisoning any such animal not duly licensed and whose owner is not known or who fails to comply with this section. The superintendent shall keep a record of all licenses issued, and shall deposit all fees received therefor with the treasurer of the city, who shall credit the same to the police pension fund. All fines collected under the provisions of this section shall be deposited to the credit of said fund.

§ 211. All rewards or gifts that may be paid or given to any member of the police force for his service, except when the board allow him to retain the same, and all moneys arising from the sale of unclaimed goods remaining for the space of one year in the hands of the clerk of the board, and all fines imposed by the board upon members of the police force, and all fees received and fines imposed under the two preceding sections, and all moneys, pay, compensation or salary or any part thereof, forfeited, deducted, or withheld from any member or members of the police force, for or on account of absence for any cause, lost or sick time, sickness or other disability, physical or mental, shall be paid monthly by the board, and five per centum of all fees for licenses for the sale of liquors, wines, ale and beer, and five per centum of all fines and penalties imposed for any violation of the excise law shall be paid weekly by the board of excise (provided, however, that the said five per centum of license fees, fines and penalties shall not exceed the sum of fifteen thousand dollars in any one year) all of which sum shall be